

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

MARTÍN JONATHAN BATALLA  
VIDAL, *et al.*,

Plaintiffs,

v.

KIRSTJEN M. NIELSEN, in her official  
capacity as Secretary of Homeland Security,  
*et al.*,

Defendants.

No. 16-cv-4756 (NGG) (JO)

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity  
as President of the United States, *et al.*,

Defendants.

No. 17-cv-5228 (NGG) (JO)

**NOTICE OF MOTION FOR CERTIFICATION OF THIS COURT'S ORDER OF  
NOVEMBER 9, 2017 FOR INTERLOCUTORY APPEAL**

**PLEASE TAKE NOTICE** that, upon the Memorandum of Law, dated December 28, 2017, Defendants in the above captioned actions will move this Court before the Honorable Nicholas G. Garaufis, United States District Judge, at the United States District Court for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined by the Court, to certify its order of November 9, 2017 for

interlocutory appeal pursuant to 28 U.S.C. § 1292(b) and for a stay of record supplementation and discovery.

Dated: December 28, 2017

Respectfully submitted,

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